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Attorneys for Plaintiff HP Tuners, LLC

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

HP TUNERS, LLC, a Nevada limited liability  
 company,

Plaintiff,

vs.

KENNETH CANNATA,

Defendant.

Case No. 3:18-cv-00527-LRH-CSD

**PLAINTIFF HP TUNERS, LLC'S  
 AMENDED EXHIBIT LIST**

Date Marked	Date Admitted	Number	Witness	Description
		1	By Stipulation	Complaint for Injunctive Relief and Damages with All Attachments – Dkt 1 1_Complaint.pdf
		2	By Stipulation	Cannata Answer to Complaint 2_Answer.pdf
		3	By Stipulation	HPT First Requests for Admission to Defendant 3_Requests for Admission.pdf

Date Marked	Date Admitted	Number	Witness	Description
		4	By Stipulation	Cannata 1st Supp Resp to Requests for Admission 4_1st Supp Response to Requests for Admission.pdf
		5	By Stipulation	Cannata 2nd Supp Responses to Interrogatories 5_2nd Supp Response to Interrogatories.pdf
		6	By Stipulation	Cannata 2nd Supp Responses to Requests for Production 6_2nd Supp Response to Requests for Production.pdf
		7	By Stipulation	Cannata Declaration – Dkt 68 7_Cannata Declaration 8-20-18.pdf
		8	By Stipulation	Cannata Declaration – Dkt 87 8_Cannata Declaration 12-15-20.pdf
		9	By Stipulation	2004-03 HP Tuners Operating Agreement 9_HP Tuners Operating Agreement.pdf
		10	By Stipulation	2004-09-17 Operating Agreement Amendment 10_Operating Agreement Amendment.pdf
		11	By Stipulation	2008-03 Buy Sell Agreement 11_Buy Sell Agreement.pdf
		12	By Stipulation	2015-07-20 Buy Sell Agreement-First Amendment 12_Buy Sell Agreement First Amendment.pdf
		13		INTENTIONALLY OMITTED
		14		2016-03-23 Email Communications and NDA (Sykes-Bonnett/Martinson/Cannata) 14_3-23-2016 email and NDA.pdf
		15		2016-04-08 Fhptuners@yahoo.com/Cannata email communications 15_4-8-2016 email.pdf
		16		2016-04-08 Fhptuners@yahoo.com/Cannata email communications 16_4-8-2016 email 2.pdf

Date Marked	Date Admitted	Number	Witness	Description
		16A		2016-04-08 email attachment (HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY) 16-a_4-8-2016 email 2 attachments (HIGHLY CONFIDENTIAL – AEO).pdf
		17		2016-04-10 Fhptuners@yahoo.com/Cannata email communications 17_4-10-2016 email.pdf
		18		2016-04-15 Fhptuners@yahoo.com/Cannata email communications 18_4-15-2016 email.pdf
		19		2016-05-06 Fhptuners@yahoo.com/Cannata email communications 19_5-6-2016 email.pdf
		20		2016-05-10 Fhptuners@yahoo.com/Cannata email communications 20_5-10-2016 email.pdf
		21		2016-05-20 Fhptuners@yahoo.com/Cannata email communications 21_5-20-2016 email.pdf
		22		2016-06-17 Fhptuners@yahoo.com/Cannata email communications (HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY) 22_6-17-2016 email (HIGHLY CONFIDENTIAL – AEO).pdf
		23		2016-10-16 Fhptuners@yahoo.com/Cannata email communications 23_10-16-2016 email.pdf
		24	By Stipulation	2016-10-20 HPT Membership Interest Purchase Agreement 24_Membership Interest Purchase Agreement.pdf
		25	By Stipulation	2016-10-20 HPT Assignment Agreement 25_Assignment Agreement.pdf

Date Marked	Date Admitted	Number	Witness	Description
		26	By Stipulation	2016-10-20 PPC Membership Interest Purchase Agreement 26_PPC Membership Interest Purchase Agreement.pdf
		27	By Stipulation	2016-10-20 PPC Assignment Agreement 27_PPC Assignment Agreement.pdf
		28		2016-11-10 Fhptuners@yahoo.com/Cannata email communications 28_11-10-2016 email.pdf
		29		2016-11-12 Fhptuners@yahoo.com/Cannata email communications 29_11-12-2016 email.pdf
		30		2017-01-09 Fhptuners@yahoo.com/Cannata email communications 30_1-9-2017 email.pdf
		30A		1_9_2017 email attachment AppKey.xls (HIGHLY CONFIDENTIAL - AEO) 30-A_AppKey.xls (HIGHLY CONFIDENTIAL – AEO).pdf
		30B		AppKey License Slot tab - HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY 30-B_AppKey License Slot tab (HIGHLY CONFIDENTIAL – AEO).pdf
		30C		AppKey Ver 0 Tab - HIGHLY CONFIDENTIAL ATTORNEYS EYES ONLY 30-C_AppKey Ver 0 Tab (HIGHLY CONFIDENTIAL – AEO).pdf
		30D		2017-01-09 email attachment Interface Reprogramming (HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY) 30-D_Interface Reprogramming (HIGHLY CONFIDENTIAL – AEO).pdf
		31		E38 ECM_TCM Programming Harness 31_E38 ECM-TCM Programming Harness.pdf

Date Marked	Date Admitted	Number	Witness	Description
		32		e38benchtop-2T 32_e38benchtop-2T.pdf
		33		Bench Harness drawing 33_Bench Harness drawing.pdf
		34		Messages Ken Cannata S5 ken only.xlsx 34_Messages Ken Cannata S5 ken only.pdf
		35		Call Log Ken Cannata S5 ken only.csv 35_Call Log Ken Cannata S5 ken only.pdf
		36		Text Ken Cannata S7 ken only.xlsx 36_Text Ken Cannata S7 ken only.pdf
		37		Call Log Ken Cannata S7 ken only.csv 37_Call Log Ken Cannata S7 ken only.pdf
		38		Cannata-Sykes Bonnett Text Messages - HPT-KC000002-235 38_Cannata Sykes-Bonnett Text Messages.pdf
		39		Cannata-Sykes Bonnett Text Messages - HPT-KC000236 39_Cannata Sykes-Bonnett Text Messages.pdf
		40		KSB - KC Additional Text Messages - HPT-KC002563-2583 40_KSB - KC Additional Text Messages.pdf
		41		KSB - KC Additional Text Messages - HPT-KC002584 41_KSB - KC Additional Text Messages 2.pdf
		42		PayPal Lani Carney - HPT-SET000300-303 42_PayPal Lani Carney.pdf
		43		Facebook Posts/Messages - HPT-SET000305-310 43_Facebook Posts HPT-SET000305-310.pdf
		44		Facebook Post/Message - HPT-SET000351 44_Facebook Post HPT-SET000351.pdf
		45		Facebook Post/Message - HPT-SET000352 45_Facebook Post HPT-SET000352.pdf

Date Marked	Date Admitted	Number	Witness	Description
		46		Facebook Post/Message - HPT-SET000354 46_Facebook Post HPT-SET000354.pdf
		47		Screenshot - HPT-SET000373 47_Screenshot HPT-SET000373.pdf
		48		Screenshot - HPT-SET000374 48_Screenshot HPT-SET000374.pdf
		49		Screenshot - HPT-SET000375 49_Screenshot HPT-SET000375.pdf
		50		Ken Distributions March 1 2016 Oct 20 2016 50_Ken Distributions March 1 2016 Oct 20 2016.pdf
		51		Payment Records 51_Payment Records.pdf
		52		Subpoena Response Fhptuners – HPT-KC002602-2606 52_Subpoena Response Fhptuners.pdf
		53		Yahoo Inbox Overview – HPT-KC000613 53_Yahoo_Inbox_Overview.pdf
		54		2017-01-30 Email Communications – SYK0001415 54_2017-01-30 Email Communication.pdf
		55		2017-01-30 Syked Tuning Software Shares Purchase Agreement – SYK000365-368 55_2017-01-30 Syked Tuning Software Shares Purchase Agreement.pdf
		56		2017-03-15 Syked ECU Buy-Sell Agreement – SYK0002019-2036 56_2017-03-15 Syked ECU Buy-Sell Agreement.pdf
		57		2017-10-28 Email Communications (Martinson/Cannata) – Bobbie Cannata Deposition Ex. 66 57_2017-10-28 Email Communications.pdf
		58		2018-02-02 Email Communications (Martinson/Cannata) – Bobbie Cannata Deposition Ex. 70 58_2018-02-02 Email Communications.pdf

Date Marked	Date Admitted	Number	Witness	Description
		59		2018-02-23 Email Communications (Martinson/Cannata) – SYK0001701 59_2018-02-23 Email Communications.pdf
		60		2017-10-13 – Email Communications (Martinson/Cannata) – HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY 60_2017-10-13 Email Communications (HIGHLY CONFIDENTIAL – AEO).pdf
		61		Screenshot-Firmware Builder – HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY – Email Communications 61_Screenshot-Firmware Builder (HIGHLY CONFIDENTIAL – AEO).pdf
		62		2017-11-08 Email Communications (Martinson/Cannata) – HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY 62_2017-11-08 Email Communications (HIGHLY CONFIDENTIAL – AEO).pdf
		63		Cable Responses Screen – HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY 63_Cable Responses Screen (HIGHLY CONFIDENTIAL – AEO).pdf
		64		2017-12-21 – Email Communications (Martinson/Cannata) – HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY 64_2017-12-21 Email Communications (HIGHLY CONFIDENTIAL – AEO).pdf
		65		Email Communications (Martinson/Sykes-Bonnett/Cannata) – SYK0004032 65_2017-01-25 Email Communications.pdf
		66		Draft Buy Sell - SYK0001927-37 66_Draft Buy Sell.pdf

Date Marked	Date Admitted	Number	Witness	Description
		67		Email Communications (Martinson/Sykes-Bonnett/Cannata) – SYK0004036-62 67_2017-03-10 Email Communications.pdf
		68		Email Communications (Martinson/Sykes-Bonnett/Cannata) – SYK0004064-95 68_2017-04-01 Email Communications.pdf
		69		16-03-31 March 31, 2016 Balance Sheet – HPT-KC000551-553 69_16-03-31 March 31, 2016 Balance Sheet.pdf
		70		December 2015 Book Value – HPT-KC002617-18 70_December 2015 Book Value.pdf
		71		Cannata-Sykes Bonnett - Text Messages 71_KC KSB Text Messages.pdf
		72		2017-11-09 Communication - Syked ECU Tuning to Cannata – CAN000025 72_2017-11-09 Communication – Syked ECU to Cannata (HIGHLY CONFIDENTIAL – AEO).pdf
		73		2017-12-21 Communication - Cannata to John Martinson – CAN000066 73_2017-12-21 Martinson-KC Email (HIGHLY CONFIDENTIAL – AEO).pdf
		74		Arrowfish Rebuttal Report 01082021.pdf 74_Arrowfish Rebuttal Report 01082021.pdf
		75		75_SSVS, Appendix B, Glossary of International Business Terms[3].pdf
		76		HP Tuners v. Kenneth Cannata Expert Report of John Bone 11.20.2020.pdf 76_Expert Report of John Bone 11-20-2020.pdf
		77		77_Gianturco Expert Report.pdf
		78		Groves_Report_2002083_11-20-2020.pdf 78_Groves Report 11-20-2020.pdf



Date Marked	Date Admitted	Number	Witness	Description
		79		CW_Assembler_Manual HC12_RM_3_22_2021.pdf 79_CW Assembler HC12 RM 3-22- 2021.pdf
		80		80_P35.pdf
		81		2005-08-31 Superchips HPT Jt Dev Agmt EXECUTION COPY – HPT- KC000382-94 81_05-08-31 Superchips HPT Jt Dev Agmt EXECUTION COPY.pdf
		82		MC9S12DP256B Device User Guide V02.15 82_MC9S12DP256B Devise User Guide V02-15.pdf
		83		S12MSCANV2 Chapter 1 - Freescale's Scalable Controller Area Network - MSCAN Block Guide 83_S12MSCANV2 Chapter 1.pdf
		84		Excerpts from code with whitespace 84_Excerpts from code with whitespace.pdf
		85		2018-02-02 Email Communications (Martinson/Cannata) – Bobbie Cannata Deposition Ex. 69 85_2018-02-02 Email Communications.pdf
		86		2019-03-11 Communication and production – Bobbie Cannata Deposition Ex. 67 86_2019-03-11 Communication and production.pdf
		87	By Stipulation	Cannata's First Amended Answer to Complaint 87_Cannata's First Amended Answer to Complaint.pdf
		88	By Stipulation	Cannata's Second Supplemental Responses to HP Tuners' First Set of Requests for Admissions 88_Cannata's 2nd Supp Reponses to RFAs.pdf

Date Marked	Date Admitted	Number	Witness	Description
		89	By Stipulation	Cannata's Third Supplemental Answers to HP Tuners' First Set of Interrogatories 89_2021-05-26 3rd Supp Answers to Interrogatories.odf
		90	By Stipulation	Cannata's First Supplemental Interrogatory Responses with Signed Verification 90_Cannata's 1st Supp Responses to Interrogatories with Signed Verification.pdf
		91	By Stipulation	Cannata's First Supplemental Interrogatory Responses with Signed Verification 91_Cannata's 2nd Supp Responses to Interrogatories with Signed Verification.pdf
		92		2016-08-05 Email with Draft MIPA 92_2016-08-05 Email with Draft MIPA.pdf
		93		2016-09-02 Email with Draft MIPA (Clean and Redline) 93_2016-09-02 Email with Draft MIPA Clean and Redline.pdf
		94		2016-09-19 Email with Draft MIPA (Clean and Redline) 94_2016-09-19 Email with Draft MIPA Clean and Redline.pdf
		95		2016-10-08 Email with Draft MIPA 95_2016-10-08 Email with Draft MIPA.pdf
		96		KSB/CBJ Facebook Messenger Communications – Sykes-Bonnett Deposition Ex. 79 96_2016-10-17 KSB-CBJ Facebook Communications.pdf
		97		KSB/CBJ Facebook Messenger Communications – Sykes-Bonnett Deposition Ex. 80 97_2016-12-26 KSB-CBJ Facebook Communications.pdf

Date Marked	Date Admitted	Number	Witness	Description
		98		KSB/CBJ Facebook Messenger Communications – Sykes-Bonnett Deposition Ex. 91 98_2017-01-10 KSB-CBJ Facebook Communications.pdf
		99		KSB/CBJ Facebook Messenger Communications – Sykes-Bonnett Deposition Ex. 92 99_2017-01-19 KSB-CBJ Facebook Communications.pdf
		100		Demonstrative: HP Tuners LLC Website 100_HPT Website Demonstrative.pdf
		101		Demonstrative: Source Code 101_Source Code Demonstrative.pdf
		102-A		Demonstrative: Disc 102-A_Disc Demonstrative.pdf
		102-B		Demonstrative: Disc 102-B_Disc Demonstrative.pdf
		102-C		Demonstrative: Disc 102-C_Disc Demonstrative.pdf
		103		Demonstrative: IP 103_IP Demonstrative.pdf
		104		Demonstrative: John Bone 104_John Bone Demonstrative.pdf

Dated this 27th day of January, 2023.

Respectfully submitted,

MARKS & KLEIN LLC

/s/ Andrew P. Bleiman, Esq.  
Andrew P. Bleiman, Esq.

FLETCHER & LEE

/s/ Elizabeth Fletcher, Esq.  
Elizabeth Fletcher, Esq.

Attorneys for HP Tuners, LLC

**CERTIFICATE OF SERVICE**

Pursuant to FRCP 5(b), I certify under penalty of perjury that I am an employee of FLETCHER & LEE, 448 Ridge Street, Reno, Nevada 89501, and that on January 27, 2023, I served copies of **PLAINTIFF HP TUNERS, LLC'S AMENDED EXHIBIT LIST** via the Court's Notice of Electronic Filing to all those persons listed on the United States District Court CM/ECF Confirmation Sheet.

DATED this 27th day of January, 2023.

/s/ Elizabeth Dendary, CP  
ELIZABETH DENDARY, CP  
Certified Paralegal